

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4103 of 1984

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

D C THAKORE & ORS.

Versus

DIRECTOR GENERAL OF POLICE, GUJ. STATE & ORS.

Appearance:

Mr. Hardik Raval for Petitioners

Mr. N.N. Pandya for Respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 30/07/96

ORAL JUDGMENT

The petitioners, working as Police Sub Inspectors in the Ahmedabad City in C.I.D. (Crime) Branch, filed this petition before this Court and prayed thereunder that by issuing a writ of Mandamus or any other appropriate writ, order or direction in the nature of Mandamus, to quash and set aside the order of reversion of the petitioners from the post of Police Sub Inspectors to Police Head Constable Gr.I. Next prayer has been made

for issuing a writ of Mandamus or any appropriate writ or direction in the nature of Mandamus, to quash and set aside Clause III of Section 2 of the Notification dated 22nd May 1980. Interim relief has also been prayed for.

2. Rule was issued by this Court on 8.8.84 and ad-interim stay against reversion has been granted. As this Court has granted ad-interim relief, the petitioners have not been reverted so far. The petitioners were entered in services in the year 1948, 1950, 1951 and 1952, and by this time they would have retired from the post of Police Sub Inspectors as they got final relief at the interim stage, and as such, they would have been given all retirementary benefits. It is not the case of the petitioners that they have not been given benefits of post of Police Sub Inspectors at retirement. When the petitioners have been allowed to work on the post of Police Sub Inspectors and when they have retired from the said post, interest of justice will be met in case interim relief granted by this Court is made a rule, i.e. the respondents are directed not to revert the petitioners from the post of Police Sub Inspectors.

3. In the result, this Special Civil Application is partly allowed and Rule is made absolute in aforesaid terms with no order as to costs.

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(sunil)